

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Jerry Davis, # 270224,

Plaintiff,

vs.

Lieutenant Martin,

Defendant.

) C/A No. 3:12-1237-DCN-JRM

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ORDER

This is a civil action filed by a state prisoner. This matter is before the Court because of Plaintiff's failure to comply with the magistrate judge's order (ECF No. 7) of May 17, 2012. A review of the record indicates that the magistrate judge ordered Plaintiff to submit the item needed to render this case into "proper form" within twenty-one (21) days, and that if he failed to do so, this case would be dismissed *without prejudice*. Specifically, the magistrate judge directed Plaintiff to sign the Complaint on the signature page (page 5) and return it to the Clerk's Office in Columbia. Plaintiff has failed to respond to the magistrate judge's order.

Accordingly, the above-captioned case is dismissed *without prejudice*. The Clerk of Court shall close the file.*

IT IS SO ORDERED.

June 20, 2012
Charleston, South Carolina



David C. Norton
United States District Judge

*Under the General Order (Misc. No. 3:07-MC-5014-JFA) filed on September 18, 2007, this dismissal *without prejudice* does not count as a "strike" for purposes of the "three strikes" provision of 28 U.S.C. § 1915(g). If Plaintiff wishes to bring this action in the future, he should obtain new forms for doing so from the Clerk's Office in Columbia (901 Richland Street, Columbia, South Carolina 29201).

NOTICE OF RIGHT TO APPEAL

Plaintiff is, hereby, notified of the right to appeal this Order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.